

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DAVID AND RENEE HENRY, individually and as guardians and parents of S.J.K.H, a minor</b>  <b>v.</b> <b>SCHOOL DISTRICT OF PHILADELPHIA and DANIEL J. LAZAR, in his official and individual capacities</b>	<b>CIVIL ACTION NO. 19-1115</b>
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**ORDER**

**AND NOW**, this 27th day of October, 2020, upon consideration of Defendants' Motion to Dismiss Counts II through XI (ECF 11) and the Response thereto (ECF 14), and for the reasons given in the accompanying Memorandum, it is hereby ORDERED that the Motion to Dismiss is GRANTED in part and DENIED in part, as follows:

- DENIED as to Counts II,V, VI, VII, and IX;
- GRANTED, without prejudice and with leave to amend, as Counts III, IV, and VIII, within fourteen (14) days.;
- GRANTED, with prejudice, as to Counts X and XI.

**BY THIS COURT:**

**s/ Michael M. Baylson**

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**MICHAEL M. BAYLSON  
United States District Court Judge**